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6 **UNITED STATES DISTRICT COURT**
7 **NORTHERN DISTRICT OF CALIFORNIA**
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9 ORCHARD GLEN VENTURE, a California
10 General Partnership,

11 Plaintiff,

12 v.

13 HOWARD HILL, NATASHA HILL, and
DOES I through V, inclusive,

14 Defendants.
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Case No. 14-cv-05486 NC

**REFERRAL FOR
REASSIGNMENT WITH
RECOMMENDATION TO
REMAND THE CASE TO STATE
COURT**

16 This unlawful detainer action was removed to this Court by defendant Howard Hill,
17 proceeding pro se. Dkt. No. 1 at 1-4. On December 31, 2014, the Court ordered Hill to
18 show cause by January 14, 2015, why this case should not be remanded to state court for
19 lack of subject matter jurisdiction. Dkt. No. 7. On January 5, 2015, Hill filed a letter
20 requesting dismissal of the case without prejudice and remand to state court. Dkt. No. 8.
21 The Court ordered the parties to file a consent or declination to the jurisdiction of a
22 Magistrate Judge by January 29, 2015. Dkt. No. 9.

23 Because the parties have not consented, this matter will be reassigned to a District
24 Court Judge. The Court RECOMMENDS that the District Court REMAND this case to
25 the Superior Court of California, County of Santa Clara, based on Hill's non-opposition to
26 the Court's order to show cause for lack of subject matter jurisdiction. *See* Dkt. No. 7.


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REFERRAL AND
RECOMMENDATION

1 Any party may object to this recommendation under Federal Rule of Civil Procedure
2 72(b)(2) within fourteen days after being served with a copy.

3 IT IS SO ORDERED.

4 Date: February 3, 2015


Nathanael M. Cousins
United States Magistrate Judge